

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Huntington

Date: 4/25/2016

Case Number 3:15-cr-00145

Case Style: USA vs. Kaleigh Horn

Type of hearing Sentencing

Before the honorable: 2514-Chambers

Court Reporter Teresa Ruffner

Courtroom Deputy Terry Justice

Attorney(s) for the Plaintiff or Government John Frail

Attorney(s) for the Defendant(s) John Proctor

Law Clerk Jon Sheffield

Probation Officer Lee Cueva

Trial Time

Non-Trial Time

Court Time

1:34 pm to 2:04 pm

Total Court Time: 0 Hours 30 Minutes Non-Trial Time/Uncontested Time

Courtroom Notes

Hearing scheduled to commence: 1:30 pm

Hearing commenced: 1:34 pm

Defendant appeared in person and with counsel pursuant to a plea to the single count indictment.
Defendant sworn.

Objections to the presentence report:

1 - The defendant objected to the PSR's assessing a criminal history point for criminal mischief in Paragraph 74 - withdrawn.

2 - The defendant objected to assessing three criminal history points for prior criminal convictions in Paragraph 78, namely possession of heroin and possession of cocaine - sustained.

Presentence Report adopted with exception.

Plea agreement accepted.

Total offense level	23
criminal history category	II

advisory guideline ranges

custody 51 - 63 months

sr 3 years

fine \$10,000 - \$1,000,000

SA \$100

Motion of Defendant for downward variance.

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Response of Government.

Comments of Defendant.

Motion granted.

Custody 38 months - defendant to receive credit for 18 months already served in the state sentence for a balance of 20 months to be served concurrently with the undischarged state sentence.

The Court recommended: that the defendant be housed at FCI Alderson, WV; that the defendant be allowed to participate in the Comprehensive Drug Abuse Treatment Program; that the defendant receive mental health counseling.

Supervised Release 3 years

special conditions of supervised release: the defendant will participate in a program of testing, counseling, and treatment for drug and alcohol abuse as directed by the probation officer; that the defendant participate in mental health counseling.

The defendant is not a legal resident of the Southern District of West Virginia, therefore, the period of supervised release is to be administered by the district where the defendant is a legal resident and/or the district where a suitable release plan has been developed.

Special Assessment \$100 due immediately

The special assessment will be paid through participation in the Inmate Financial Responsibility Program.

The defendant was informed of appeal rights.

Defendant detained.

Hearing concluded: 2:04 pm